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[Additional Counsel Listed On Signature Page]

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

MARIA KARLA TERRAZA Individually and  
On Behalf of the SAFEWAY 401(K) PLAN,

Plaintiff,

v.

SAFEWAY INC., et al.

Defendants.

TRUCKER ♦ HUSS

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**Attorneys for Safeway Defendants**

Case 3:16-cv-03994-JST

**JOINT STIPULATION TO CONTINUE  
CASE DEADLINES; ~~PROPOSED~~  
ORDER**

Assigned to Hon. Jon S. Tigar

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1 WHEREAS, depositions are currently being scheduled to take place over the next sixty  
2 days, and additional written discovery remains to be completed;

3 WHEREAS, the Parties have been working diligently and cooperatively to prepare this  
4 case for trial, while also pursuing their efforts in a manner designed to avoid imposing undue  
5 burdens or expenses on any of the Parties, in particular as to Aon and the pendency of its Motion  
6 to Dismiss;

7 WHEREAS, in light of the above and despite the Parties' diligent efforts to cooperate, the  
8 Parties believe that the current schedule will not provide adequate time to complete discovery,  
9 expert disclosures, dispositive motions, and trial, by virtue of the number of defendants, the scope  
10 of document discovery demanded, and the need for an adequate opportunity for discovery related  
11 to Aon upon understanding the scope of the claims against it.<sup>1</sup> The Parties therefore respectfully  
12 request that the Court continue the case deadlines as detailed below, which represents a ninety  
13 (90) day continuance of all deadlines, and that the pretrial conference date be moved to a date  
14 convenient for the Court in or after September, 2018, and the trial be moved to a date convenient  
15 for the Court in or after October, 2018 on the Court's first available trial dates;<sup>2</sup>

16 WHEREAS, the Parties have not previously requested any extensions of the pretrial or  
17 trial dates in this case;

18 WHEREAS, Plaintiffs also propose that the Court reschedule the next Case Management  
19 Conference, currently set for December 13, 2017 to a date in early 2018;

20 NOW, THEREFORE, the Parties, through their respective counsel, hereby stipulate,  
21 subject to the approval of the Court, to the following schedule:

22 \_\_\_\_\_, 2018, at 2 p.m. Case Management Conference

23 March 22, 2018 Deadline to complete fact discovery.

24  
25 <sup>1</sup> In addition, while not offered as a principal reason for the requested change, counsel for Aon (Randall Edwards)  
26 also requests the Court's accommodation of the requested change because of a long-scheduled window of time  
27 allotted to counsel in mid-July 2018 to attempt to swim the English Channel, which requires advanced scheduling of  
28 a year or more for pilot and boat booking.

<sup>2</sup> Counsel for the Parties have also met and conferred with counsel for Plaintiff in the *Lorenz* matter, and anticipate submitting a stipulation in that case proposing an identical modification of the schedule in that case.

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April 12, 2018	Deadline for expert disclosures.
May 2, 2018	Deadline for expert rebuttal.
May 21, 2018	Deadline to complete expert discovery.
June 15, 2018	Deadline to file dispositive motions.
September 5, 2018	Deadline to file pretrial conference statement.
September __, 2018, at 2 p.m.	Pretrial Conference
October __, 2018, at ____	Trial (eight court days)

Dated: November 29, 2017	SHEPHERD FINKELMAN MILLER & SHAH LLP
	<u>/s/ James E. Miller*</u> James E. Miller

Dated: November 29, 2017	TRUCKER ♦ HUSS
	<u>/s/ R. Bradford Huss</u> R. Bradford Huss

Dated: November 29, 2017	O'MELVENY & MYERS LLP
	<u>/s/ Randall W. Edwards</u> Randall W. Edwards

\*Pursuant to L.R. 5-1(i)(3) regarding signatures, I, James E. Miller, attest that concurrence in the filing of this document has been obtained from each of the other signatories.

<u>/s/ James E. Miller</u> James E. Miller
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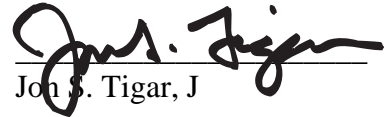
12 **Attorneys for Defendant Aon Hewitt Investment Consulting, Inc.**

1  
2 **~~PROPOSED~~ ORDER**

3 **IT SO ORDERED.**

4 The next Case Management Conference shall be held on January 24, 2018, at 2:00 pm.  
5 The Pretrial Conference shall be held on September 7, 2018, at 2 p.m., and the trial  
6 shall commence on October 22, 2018, with eight (8) days reserved for trial.

7 The parties shall file a joint pretrial conference  
8 statement on or before August 28, 2018.

  
John S. Tigar, J

9 Dated: November 30, 2017  
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